

JENNIFER KELLY (CSB No. 193416)
jennifer@tyzlaw.com
RYAN TYZ (CSB No. 234895)
ryan@tyzlaw.com
ERIN JONES (CSB No. 252947)
ejones@tyzlaw.com
CIARA MCHALE (CSB No. 293308)
ciara@tyzlaw.com
SEAN APPLE (CSB No. 305692)
sapple@tyzlaw.com
CHIEH TUNG (CSB No. 318963)
chieh@tyzlaw.com
TYZ LAW GROUP PC
4 Embarcadero Center, 14th Floor
San Francisco, CA 94111
Telephone: 415.868.6900

*Attorneys for Defendant
AviaGames Inc.*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BIG RUN STUDIOS INC. and SKILLZ
PLATFORM INC.,

Plaintiffs,

v.

AVIAGAMES INC.,

Defendant.

Case No: 5:21-cv-04656-EJD

**[PROPOSED] ORDER GRANTING
AVIAGAMES INC.'S MOTION TO
COMPEL FINANCIAL DOCUMENTS**

Having considered the joint statement on the motion by AviaGames, Inc. (“AviaGames” or “Defendant”) to compel Plaintiffs Big Run Studios Inc. and Skills Platform Inc. (collectively, “Plaintiffs”) to produce documents, **IT IS HEREBY ORDERED THAT** all relief requested by AviaGames’ in the joint statement is hereby **GRANTED**, and the Court hereby **ORDERS** as follows:

Plaintiffs shall produce all documents responsive to Requests for Production Nos. 19-20, 22-23, and 51-53 to Skillz, and Requests for Production Nos. 7-9, and 28 to Big Run, within fourteen (14) days of this Order:

Requests to Skillz Platform Inc.

Request for Production	Required Production
RFP No. 19: All Documents Relating to monetization of the Skillz Platform.	Documents sufficient to show all the ways that Skillz monetizes or has monetized the Skillz Platform, including but not limited to identifying all sources of revenue associated with the Skillz Platform.
RFP No. 20: All Documents Relating to monetization of the SDK.	Documents sufficient to show all the ways that Skillz monetizes or has monetized the Skillz SDK, including but not limited to identifying all sources of revenue associated with the Skillz SDK.
RFP No. 22: All Documents Relating to Your lost profits attributable to Bingo Clash.	All Documents that support or refute Your claim of lost profits attributable to Bingo Clash.
RFP No. 23: All Documents Relating to Your lost profits attributable to the Pocket7Games platform.	All Documents that support or refute Your claim of lost profits attributable to the Pocket7Games platform.
RFP No. 51: Documents sufficient to show Skillz’ revenue, expenses, costs, income and profits on a monthly basis for the Skillz Platform from 2013 to the present.	Documents sufficient to show Skillz’ revenue, expenses, costs, income and profits on a monthly basis for the Skillz Platform from 2013 to the present.

Request for Production	Required Production
RFP No. 52: Documents sufficient to show Skillz' revenue, expenses, costs, income and profits on a monthly basis from Blackout Bingo from 2019 to the present.	Documents sufficient to show Skillz' revenue, expenses, costs, income and profits on a monthly basis from Blackout Bingo from 2019 to the present.
RFP No. 53: Documents sufficient to show Skillz' revenue, expenses, costs, income and profits on a monthly basis for the Skillz SDK from its launch to the present.	Documents sufficient to show Skillz' revenue, expenses, costs, income and profits on a monthly basis for the Skillz SDK from its launch to the present.

Requests to Big Run

Request for Production	Required Production
RFP No. 7: All Documents Relating to monetization of Blackout Bingo.	Documents sufficient to show all the ways that Big Run monetizes or has monetized Blackout Bingo, including but not limited to identifying all sources of revenue associated with Blackout Bingo.
RFP No. 8: All Documents Relating to any dips, surges, swings, or trend in revenue for Blackout Bingo.	Documents sufficient to show all dips, surges, swings, or trend in revenue for Blackout Bingo, including all Communications referring to any actual or suspected reasons for such dips, surges, swings, or trend in revenue.
RFP No. 9: All Documents Relating to any contention that Bingo Clash has impacted Your profits.	All Documents that support or refute Your claim of lost profits attributable to Bingo Clash.
RFP No. 28: Documents sufficient to show Big Run's revenue, expenses, costs, income and profits on a monthly basis for Blackout Bingo from 2019 to the present.	Documents sufficient to show Big Run's revenue, expenses, costs, income and profits on a monthly basis for Blackout Bingo from 2019 to the present.

1 **IT IS SO ORDERED.**

2 Dated: _____, 2021

3 _____
4 Honorable Susan van Keulen
5 United States Magistrate Judge
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28